

Madison attorney to seek immediate closing of dump

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SON — Township Attorney Roland said last night he would seek immediate closure of the controversial Kin-Buc I landfill in addition to requesting extension of the ban on the use of the Kin-Buc II site.

Speaking at last night's Township Council agenda session, Winter said he would file legal action at tomorrow's 9 a.m. cause hearing before Middlesex County Superior Court Judge David D. Winter.

That time officials of Scientific, Inc., owners of Kin-Buc — would have to explain why the Meadow Road company should not be fined \$1,000 a day for each day of dumping at the Kin-Buc II site and the current ban on solid waste dumping at the location should not be made permanent.

Winter last week ordered the firm temporarily to stop solid waste dumping at the Kin-Buc II landfill. Authorized opera-

tion of the Kin-Buc II landfill, located adjacent to the Kin-Buc I site, has been hotly disputed between Kin-Buc officials, the township and the Department of Environmental Protection (DEP).

DEP says the firm has only conditional approval of its Kin-Buc II engineering plans and states the company has not met certain conditions set by the state agency. Company spokesmen contend conditional approval is sufficient to begin operation, especially since no surrounding landfill, including the township's own site, has received final approval.

Winter said the company should be held in contempt for violating a previous injunction aimed at limiting the height of the Kin-Buc I site.

The attorney said the firm has been accepting garbage at the Kin-Buc I landfill since the restraining order was issued last week and contends it has now passed a height of 85 feet — a limit set earlier this year by the governing body.

"The original site can no longer accommodate any garbage," Winter said. "They've exceeded the top" and are now over 90 feet, he added, noting his information is based on a survey of the site conducted by himself, Township Engineer William Lund and Director of Public Works William Godwin.

Winter said there has been no noticeable recurrence of chemical dumping, a situation brought to a stop in July by DEP order.

The landfill is scheduled to close by Jan. 15 and Winter said there were visible signs of action in that direction, noting a ground-cover of topsoil already over the existing mound.

Putting new garbage on top of the mound which creates an excessive height is the violation Winter seeks to correct and believes is reason enough to warrant an earlier closure than mid-January.

"We want them to stop dumping altogether," he emphasized.